

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

In re: : Case No. 10-13274
Sandra Crawford :
William Crawford :
 :
 :
 : Chapter 13
 : Judge Aug
Debtor(s)

MOTION FOR MODIFICATION OF PLAN POST CONFIRMATION AND NOTICE

The Debtor(s) hereby move the Court for an Order to modify the Chapter 13 Plan. Support for the motion is set forth in the following memorandum.

MEMORANDUM IN SUPPORT

1. A plan has been confirmed.
2. Date petition filed: 05/13/2010 Date of last modification: N/A
3. Date plan confirmed: 08/17/2010 Date last modification confirmed: _____
4. Length of Plan (months): Current: 26 Proposed: 56
5. Monthly Plan Payments: Current: \$315.00 Proposed: \$190.00

If the plan changes the monthly payments, then amended Schedules I and J are attached and will be filed with the Court.

6. Percent to Unsecured Creditors: Current: 5 % Proposed: 1 %

If the plan proposes to lower the plan percentage to unsecured creditors, then choose one of the following:

____ Debtor(s) case was filed prior to October 17, 2005 and the new plan percentage is consistent with the liquidation analysis filed on _____ (date) OR Debtor(s) attach an amended liquidation analysis and will file it with the Court.

XXX Debtor(s) case was filed on or after October 17, 2005, Debtor(s) were BELOW median income at time of filing and the new plan percentage is consistent with the liquidation analysis filed on 05/25/2010 (0.02%) OR Debtor(s) attach an amended liquidation analysis and will file it with the Court.

____ Debtor(s) case was filed on or after October 17, 2005, Debtor(s) were ABOVE median income at the time of filing with a Negative DMI on Form B22(c) and the new plan percentage is consistent with the liquidation analysis filed on _____ (date) or Debtor(s) attach an amended liquidation analysis and will file it with the Court.

____ Debtor(s) case was filed on or after October 17, 2005, Debtor(s) were ABOVE median income at the time of filing with a Positive DMI on Form B22(c) and the new plan percentage is consistent with the DMI X 60 calculation OR Debtor(s) provide evidence of change in circumstance pursuant to 11 USC §1329, if the plan percentage deviates from the requirements of Form B22(C) and 11 USC

1325(b)(1)(B).

7. Reason for the modification, including any changes in circumstances since last plan:
(a) Debtor-Husband unexpectedly passed away from complications during surgery to remove a blood clot. Debtor-Wife desires to maintain this present case subject to a reduced monthly payment amount based on the fact that Debtor-Wife is still and will continue to receive Debtor-Husband's pension benefit.

Attached is a list of the affected Creditors, applicable plan paragraphs affected and proposed new plan treatment.

WHEREFORE, debtor(s) move(s) the Court to modify debtor(s)' plan as set forth herein.

Respectfully submitted,

/s/David J. Hoff

David J. Hoff OH-0083886

Attorney for Debtors

800 Gallia Street, Suite 28

Portsmouth, Ohio 45662

(740) 354-4483

NOTICE OF MOTION (20A Notice)

The Debtors have filed papers with the Court to Modify Debtors' Plan. **Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)** If you do not want the Court to grant such an order, or if you want the Court to consider your views on the motion, then on or before twenty one (21) days following the date this notice was sent to you, you or your attorney must: File with the court a written response to the objection, explaining your position, at: Clerk of Court, U.S. Bankruptcy Court, Atrium Two, Suite 800, 221 East Fourth Street, Cincinnati, Ohio 45202. If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date described above. You must also mail a copy to the following parties: Dearfield, Kruer & Company, LLC, 800 Gallia Street, Suite 28, Portsmouth, OH 45662; Marge Burks, Chapter 13 Trustee, 600 Vine Street, Suite 2200, Cincinnati, OH 45202; and the U.S. Trustee, 36 East Seventh Street, Suite 2030, Cincinnati, Ohio 45202. Additionally, you must attend the hearing on the objection to be scheduled by the Court by future notice. If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Modify was served on the parties listed below by ordinary U.S. Mail or served electronically through the Court's ECF System at the e-mail address registered with the Court on this 24th day of November, 2010.

/s/ David J. Hoff OH-0083886

David J. Hoff

U.S. Trustee
36 East 7th Street
Suite 2030
Cincinnati, Ohio 45202

Marge Burks
Chapter 13 Trustee
600 Vine Street, Suite 2200
Cincinnati, OH 45202

Internal Revenue Service
POB 21126
Philadelphia PA 19114

HSBC Bank Nevada, N.A.
Bass & Associates, P.C.
3936 E. Ft. Lowell Rd, Suite 200
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PRA Receivables Management, LLC
As Agent Of Portfolio Recovery Assocs.
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Portfolio Recovery Associates, LLC
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